

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

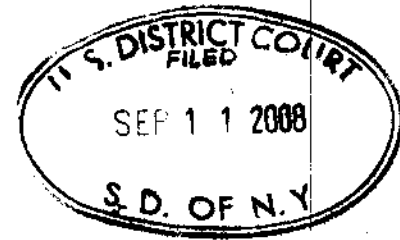
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RAFAEL SERRANO,

Petitioner,

-against-

JOHN W. BURGE, Superintendent,
Auburn Correctional Facility,
Respondent.

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03 **CIVIL 8639 (RMB)(RLE)**

JUDGMENT

SCANNED

Whereas on June 25, 2008, the Honorable Ronald L. Ellis, United States Magistrate Judge, having issued a report and recommendation ("report") recommending that the amended petition for a writ of habeas corpus under 28 U.S.C. 2254 be denied, and the matter having come before the Honorable Richard M. Berman, United States District Judge, and the Court, thereafter, on September 11, 2008, having rendered its Order adopting the report and dismissing he petition, it is,

ORDERED, ADJUDGED AND DECREED: That for the reasons stated in the Court's Order dated September 11, 2008, the report is adopted and the petition is dismissed; accordingly, the case closed.

DATED: New York, New York
September 11, 2008

J. MICHAEL McMAHON

Clerk of Court

BY:



Deputy Clerk.

**THIS DOCUMENT WAS ENTERED
ON THE DOCKET ON _____**